

REMARKS

The Final Office Action mailed May 29, 2007 has been received and reviewed. Claims 1, 4-7 and 12-26 are pending. Claims 1, 6, 7, 17 and 19-25 are rejected. Claims 14-16, 18 and 26 are objected to. No rejection is made against claims 4, 5, 12 and 13 and those claims are, therefore, presumed to be allowed. Claim 17 is amended. For the reasons stated below, the Applicants submit that the claims distinguish over the cited reference and are in condition for allowance.

Rejection Of Claims 1, 6, 7 And 21-23 Under 35 U.S.C. § 112

Claims 1, 6, 7 and 21-23 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement by containing subject matter which the Examiner contends is not described in the specification in a way sufficient to convey to one of skill in the art that the inventor was in possession of the claimed invention. Specifically, the Examiner states that dimension Da of one of the shrouds being greater than the dimension Da of the other shroud has not been clearly described in the specification and is considered new matter. The rejection is traversed. The dimension Da of one of the shrouds being greater than the dimension Da of the other shroud is shown in FIG. 5 of the originally filed application. That dimension Da is the designation for the dimension of a shroud from the rotational axis to the peripheral edge of the shroud is clearly defined in the "Disclosure of Invention" section and "Best Modes" section of the application. (See paragraphs [0014] and [0015] of the substitute specification.) The designations of Db for the diameter of the auxiliary vanes and Dc for the pumping vanes are also clearly set forth in the "Disclosure of Invention" and "Best Modes" section. The Applicants respectfully submit that FIG. 5 illustrates an embodiment of the invention where the dimension Da of one shroud is greater than the dimension Da of the other shroud, that FIG. 5 constitutes a part of the original application, and that one of skill in the art would clearly understand from reference to FIG. 5 that an embodiment where one shroud has a dimension Da greater than the other shroud is encompassed within the invention without need of further textual description. The Applicants respectfully request that the rejection be withdrawn.

The Examiner also states that the angle of the auxiliary vanes was not disclosed in the original disclosure. Again, the rejection is traversed. The angle Z of the auxiliary vanes, as recited in claims 17-26, is shown in FIG. 5 as originally filed and is described in the application as originally filed (see page 5, lines 13-16 of the WO 2004/111463 A1, and see paragraphs [0018] and [0034] of the substitute specification).

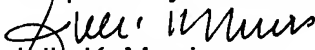
Rejection Of Claims 17, 19, 20, 24 And 25 Under 35 U.S.C. § 102(b)

Claims 17, 19, 20, 24 and 25 are newly rejected under 35 U.S.C. § 102(b) as being anticipated by Lee. The Examiner states that Lee teaches all of the limitations of claim 17 including auxiliary vanes with angled outer edges as illustrated in FIG. 2. Claim 17 is amended to clarify that the angle of the outer edge of each auxiliary vane is angled downwardly from the shroud in the direction of the rotational axis. FIG. 2 of Lee does not illustrate any angle in the outer edge of the auxiliary vanes, but reference to FIG. 1 indisputably illustrates that the outer edge of the auxiliary vanes do not have an angle that angles downwardly from the shroud toward the rotational axis as claimed; rather, the outer edge of the auxiliary vanes of Lee are parallel to the rotational axis. Claims 17, 19, 20, 24 and 25 are not anticipated by Lee.

CONCLUSION

In view of the amendments made and arguments presented, the Applicants submit that claims 1, 4-7 and 12-26 present patentable subject matter. Reconsideration and allowance are respectfully requested.

Respectfully submitted,



Julie K. Morriss

Registration No. 33,263

Attorney for Applicants

MORRISS O'BRYANT COMPAGNI, P.C.

734 East 200 South

Salt Lake City, Utah 84102

Telephone: (801) 478-0071

Facsimile: (801) 478-0076

Date: July 30, 2007